

Exhibit 21

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Page 1

1 ** H I G H L Y C O N F I D E N T I A L **

2 UNITED STATES DISTRICT COURT

3 SOUTHERN DISTRICT OF NEW YORK

4 Civil Action No. 1:15-cv-07488-CM

5 -----x

6
7 IN RE NAMENDA DIRECT PURCHASER

8 ANTITRUST LITIGATION

9 -----x

 August 29, 2017

10 8:49 a.m.

11
12
13 Videotaped Deposition of FOREST
14 LABORATORIES, LLC; ACTAVIS, PLC; FOREST
15 LABORATORIES, INC.; and FOREST LABORATORIES
16 HOLDINGS LTD., by MARK DEVLIN, taken by
17 Plaintiffs, pursuant to Rule 30(b)(6)
18 Notice, held at the offices of Garwin
19 Gerstein & Fisher LLP, 88 Pine Street, New
20 York, New York, before Todd DeSimone, a
21 Registered Professional Reporter and Notary
22 Public of the State of New York.


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<p style="text-align: right;">Page 262</p> <p>1 And so this document is</p> <p>2 [REDACTED]</p> <p>3 [REDACTED]</p> <p>4 [REDACTED]</p> <p>5 [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 Q. [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 MR. SORENSEN: Objection,</p> <p>23 leading. Objection, beyond the scope.</p> <p>24 A. Yes, without a doubt.</p> <p>25 Q. Would those -- [REDACTED]</p>	<p style="text-align: right;">Page 264</p> <p>1 other words, you know, after December 2014</p> <p>2 into 2015; is that right?</p> <p>3 MR. SORENSEN: Objection,</p> <p>4 leading. Go ahead.</p> <p>5 A. That's about right.</p> <p>6 MR. TOTO: I think the record</p> <p>7 will reflect that.</p> <p>8 MR. SORENSEN: It doesn't make</p> <p>9 it not leading.</p> <p>10 Q. Now, after the injunction</p> <p>11 issued, is there any reason that a patient</p> <p>12 that was on XR at that point in time</p> <p>13 couldn't switch back to Namenda IR prior to</p> <p>14 the loss of exclusivity of Namenda IR?</p> <p>15 MR. SORENSEN: Objection,</p> <p>16 leading, beyond the scope.</p> <p>17 A. No. I think as I testified</p> <p>18 before, the patients had, and physicians,</p> <p>19 had the choice, they could have changed</p> <p>20 from XR back to IR if they wanted to, or IR</p> <p>21 to XR, both were available, there was no --</p> <p>22 there was no withdrawal. There was no</p> <p>23 limited distribution or restriction of any</p> <p>24 kind.</p> <p>25 Q. After the injunction issued,</p>
<p style="text-align: right;">Page 263</p> <p>1 [REDACTED]</p> <p>2 [REDACTED]</p> <p>3 [REDACTED]?</p> <p>4 MR. SORENSEN: Same objections.</p> <p>5 A. [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 Medicare patients oftentimes</p> <p>9 will move in and out of plans or change</p> <p>10 plans. There is a little bit of</p> <p>11 disruption, sometimes confusion at the</p> <p>12 change of the benefit year, which is</p> <p>13 January 1st. Sometimes there are</p> <p>14 deductibles that the patients have to pay</p> <p>15 and work through in the early couple of</p> <p>16 months.</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 Q. Okay. Now, Mr. Sorensen asked</p> <p>21 you a lot of questions about the period</p> <p>22 2014 and earlier, right?</p> <p>23 A. Yes.</p> <p>24 Q. He didn't really ask you any</p> <p>25 questions about after the injunction, in</p>	<p style="text-align: right;">Page 265</p> <p>1 did you stop promoting XR?</p> <p>2 A. No.</p> <p>3 Q. Did you continue to promote it</p> <p>4 aggressively?</p> <p>5 A. We did.</p> <p>6 MR. SORENSEN: Same objections,</p> <p>7 beyond the scope and leading. Go ahead.</p> <p>8 A. Yes, we did.</p> <p>9 Q. You had some -- there were a</p> <p>10 number of questions about communications</p> <p>11 about the withdrawal, when that was -- when</p> <p>12 that was announced in and around February</p> <p>13 2014. Do you recall those questions?</p> <p>14 A. Yes.</p> <p>15 Q. A block of questions about</p> <p>16 letters that were sent out or</p> <p>17 communications plan, that kind of thing?</p> <p>18 A. Yes.</p> <p>19 Q. Why did you send out letters</p> <p>20 and inform the market of your then plan to</p> <p>21 withdraw Namenda IR from the market?</p> <p>22 MR. SORENSEN: I object insofar</p> <p>23 as you objected to my questions about those</p> <p>24 communications as beyond the scope and yet</p> <p>25 you're asking about it. But go ahead.</p>

67 (Pages 262 - 265)

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1 CERTIFICATION
 2
 3 I, TODD DeSIMONE, a Notary Public for
 4 and within the State of New York, do hereby
 5 certify:
 6 That the witness whose testimony as
 7 herein set forth, was duly sworn by me; and
 8 that the within transcript is a true record
 9 of the testimony given by said witness.
 10 I further certify that I am not related
 11 to any of the parties to this action by
 12 blood or marriage, and that I am in no way
 13 interested in the outcome of this matter.
 14 IN WITNESS WHEREOF, I have hereunto set
 15 my hand this 30th day of August, 2017.
 16
 17
 18
 19
 20 
 21 _____
 22 TODD DESIMONE
 23 * * *
 24
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1 ERRATA SHEET
 VERITEXT/NEW YORK REPORTING, LLC
 2
 CASE NAME: IN RE NAMENDA
 3 DATE OF DEPOSITION: 8/29/17
 WITNESS' NAME: MARK DEVLIN
 4

PAGE/LINE(S)/	CHANGE	REASON
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 20 _____
 21 MARK DEVLIN
 22 SUBSCRIBED AND SWORN TO
 BEFORE ME THIS _____ DAY
 23 OF _____, 2017.
 24 _____
 25 NOTARY PUBLIC
 MY COMMISSION EXPIRES _____

75 (Pages 294 - 295)